

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

**MIAMI VALLEY FAIR HOUSING, :
CENTER, INC., et al.,**

Plaintiffs,

vs.

**STEINER + ASSOCIATES, INC.,
et al.,**

Defendants.

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Case No. 3:08cv00150

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**District Judge Thomas M. Rose
Magistrate Judge Sharon L. Ovington**

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**ENTRY AND ORDER OVERRULING MIAMI VALLEY FAIR
HOUSING'S OBJECTIONS (Doc. #411) TO THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATIONS; ADOPTING THE
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS IN ITS
ENTIRETY AND CONTINUING THE STAY OF THIS MATTER**

This matter comes now before the Court on Plaintiff Miami Valley Fair Housing Center's Objection (doc. #411) to the Magistrate Judge's Report and Recommendation (doc. #410). Therein the Magistrate Judge recommends that Plaintiff's Objections to the Magistrate Judge's Notation Order denying their Motion for Entry of Scheduling Order be overruled and that this case remain stayed. The time has run and the Defendants have not responded to Plaintiff's Objection. The objection is, therefore, ripe for review.

The Court granted leave to the Defendants to appeal several decisions that dismissed essentially all of the third-party defendants. (Doc. #401). This they have done (doc. #402) with

the appeal being designated Sixth Circuit Case No. 10-4191.

Following the appeal, the Miami Valley Fair Housing Center moved the Court to enter a new Preliminary Pretrial Order which would move their claims forward to adjudication. (Doc. #405.) This Motion was overruled by a Magistrate Judge's Notation Order. Subsequently, the Magistrate Judge issued a Report and Recommendation that Plaintiff's Objections to the Magistrate Judge's Notation Order denying their Motion for Entry of Scheduling Order be overruled and that this case remain stayed. Miami Valley Fair Housing now objects to the Magistrate Judge's Report and Recommendation and argues that this matter should proceed.

As required by 28 U.S.C. §636(b) and Federal Rules of Civil Procedure Rule 72(b), the District Judge has made a de novo review of the record in this case. Based upon the reasoning and citations of authority set forth in the Magistrate Judge's Report and Recommendations (doc. #410) and in Plaintiff's Objections (doc. #411), as well as upon a thorough de novo review of the record and a thorough review of the applicable law, this Court adopts the aforesaid Report and Recommendations in its entirety. Further, Miami Valley Fair Housing Center's Objections (doc. #411) are not well-founded and are **OVERRULED**.

DONE AND ORDERED in Dayton, Ohio, this Thirty-First Day of January, 2011.

s/Thomas M. Rose

Thomas M. Rose
United States District Judge

Copies furnished to:

Counsel of Record